IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 655 OF 2007

Shri Suresh Prabhudas Doshi ..Applicant

Vs.

1. Smt. Tara Lalwani and anr. ..Respondents

None for the applicant.
Ms. Tara Lalwani respondent no.1 in person present.
Mr. A.S. Shitole, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : July 10, 2007.

P.C.:

1. The respondent-original complainant has circulated this application. The learned counsel for the applicant is absent. On 3/7/2007 also the learned counsel for the applicant was absent.

2. The order of conviction and sentence passed by the learned Metropolitan Magistrate, 12th Court, Bandra on 31/1/2006 has been challenged by the applicant in Criminal Appeal No. 220 of 2006 which is pending before the Sessions Court at Bombay. The

appeal has been admitted and the order of sentence and compensation payable in default has been suspended till the disposal of the appeal on payment of Rs.1,50,000/- within four weeks by order dated 2/3/2006 passed by the Lower Appellate Court. The applicant is aggrieved by the said order.

3. The compensation amount granted by the trial court is quantified at Rs.5,50,000/- and that too in two equal instalments. The Lower Appellate Court has used its discretion by directing to deposit an amount of Rs.1,50,000/- so as to stay the order of sentence as well as the payment of compensation. No case is, therefore, made out to hold that the impugned order passed by the Lower Appellate Court is grossly erroneous or passed without jurisdiction.

4. Hence the application is rejected summarily.

(B.H. Marlapalle,J.)